



Entered on Docket
October 22, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

WILDE & ASSOCIATES

Gregory L. Wilde, Esq.

Nevada Bar No. 004417

208 South Jones Boulevard

Las Vegas, Nevada 89107

Telephone: 702 258-8200

bk@wildelaw.com

Fax: 702 258-8787

and

MARK S. BOSCO, ESQ.

Arizona Bar No. 010167

TIFFANY & BOSCO, P.A.

2525 East Camelback Road, Suite 300

Phoenix, Arizona 85016

Telephone: (602) 255-6000

U.S. Bank National Association, as Trustee for the holders of Bear Stearns ARM Trust, Mortgage Pass-Through Certificates, Series 2005-4
08-72139

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Melissa M. Hartner

Debtor.

BK-09-19653-lbr

Date: 9/30/09

Time: 10:00am

Chapter 13

ORDER VACATING AUTOMATIC STAY

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the
2 above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to
3 Secured Creditor U.S. Bank National Association, as Trustee for the holders of Bear Stearns ARM
4 Trust, Mortgage Pass-Through Certificates, Series 2005-4, its assignees and/or successors in interest, of
5 the subject property, generally described as 9290 Cazador St., Las Vegas, NV 89123.
6

7 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give
8 Debtors and Trustee at least five business days' notice of the time, place and date of sale.
9

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby
11 withdraws its secured Proof of Claim filed in this matter.

12 DATED this ____ day of _____, 2009.

13 Submitted by:

14 **WILDE & ASSOCIATES**

15 By

16  **GREGORY L. WILDE, ESQ.**

17 Attorney for Secured Creditor

18 APPROVED / DISAPPROVED

19 _____
20 David Krieger
21 1020 Garces, Suite 100
22 Las Vegas, NV 89101
23 Attorney for Debtor(s)

24 APPROVED / DISAPPROVED

25 _____
26 Kathleen A Leavitt
201 Las Vegas Blvd., So. #200
Las Vegas, NV 89101
Chapter 13 Trustee

1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 ☐ The court waived the requirements of LR 9021.

4 ☒ No parties appeared or filed written objections, and there is no trustee appointed in the case.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,
and each has approved or disapproved the order, or failed to respond, as indicated below
(list each party and whether the party has approved, disapproved, or failed to respond to the
document):

7 (List Parties)

8 Debtor's counsel:

9 ☐ approved the form of this order ☐ disapproved the form of this order

10 ☐ waived the right to review the order and/or ☒ failed to respond to the document

11 ☐ appeared at the hearing, waived the right to review the order

12 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 ☐ approved the form of this order ☐ disapproved the form of this order

15 ☐ waived the right to review the order and/or ☒ failed to respond to the document

16 Other Party: _____

17 ☐ approved the form of this order ☐ disapproved the form of this order

18 ☐ waived the right to review the order and/or ☐ failed to respond to the document

19 Breach Order:

20 ☐ This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which
22 they have not replied

23
24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor